IN THE HIGH COURT OF JUDICATURE

ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO :25034 of 2005

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Dated: 29th November 2005.

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Between:

A.Jhansi Lakshmi Kumari

..... PETITIONER

AND

The Government of Andhra Pradesh, represented by Principal Secretary to Government, Agriculture and Co-operation (FP-I) Department and others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.NO.25034 OF 2005

ORAL ORDER:

(Per the Hon'ble Sri Justice Ramesh Ranganathan)

Questioning the Order of the Andhra Pradesh Administrative Triubnal, in O.A.No.6893 of 2005 dated 21-11-2005, the present writ petition is filed.

Facts to the extent necessary for disposal of the writ petition are that on being directly recruited, as an Agricultural Officer, the petitioner joined service on 28-02-1991. She was promoted as Assistant Director of Agriculture and was posted at the Pesticides Testing Laboratory, Rajendra Nagar, Ranga Reddy District, in which post she joined on 23-06-2004. The 3rd respondent in the writ petition, who was earlier working as Assistant Director of Agriculture in and around Rajendra Nagar and, particularly, in the Farmers' Training Centre for the last many years, was transferred in June 2005 to the post in which the petitioner was working from June 2004 onwards.

It is the case of the petitioner that while the post of Assistant Director, Pesticides Testing Laboratory, does not involve any movement, the post at the Farmers' Training Centre requires extensive movement, visiting remote places, interacting with the farmers and training them. It is a rigorous job and requires early departure to the field and stay outdoors till late in the night. It is her case that on considering the nature of duties no lady Assistant Director was posted at the Farmers' Training Centre, and that the present exception was made only to accommodate the 3rd respondent. Petitioner submits that her husband, who is working as a Deputy Registrar in Central University, Gachibowli, Hyderabad, is suffering from a disease called 'Left parieto occipital bleed' and was hitherto hospitalized, that he has been undergoing medical treatment for a long time, and that he also requires constant monitoring and supervision as he suffers from a neurological disorder. She would further submit that her husband had also developed ancillary medical problem of "unstable angina" and her posting at the Pesticides Testing Laboratory, a stationary job, would enable her to attend to her

husband.

Questioning the orders transferring her to the Farmers' Training Centre, the petitioner filed O.A.No.6893 of 2005 dated 26-10-2005. The Tribunal, by Order dated 21-11-2005, dismissed the O.A., holding that no hardship was caused to her as she was posted within 200 yards from the present place of work, and that the Government could authorize transfers only on expiry of the period indicated in G.O.Ms.No.144, dated 07-06-2005.

Before us, Mr. J.R. Manohar Rao, learned counsel for the petitioner, would submit that the action of the respondents in transferring the petitioner to the Farmers' Training Centre at Rajendra Nagar, was only to accommodate the 3rd respondent and in fact the official respondents had acted *mala fide*.

In the absence of any specific allegation against any individual or person arrayed as a respondent in the writ petition, ed-nominee, the plea of *mala fides*, does not call for any further examination. It is for the petitioner to submit a representation to the competent authority highlighting the hardship, for the competent authority to take necessary decision in this regard and not for this Court to interfere with orders of transfer, since transfer is a mere incidence of service.

The Order of the Tribunal does not call for any interference. The writ petition is accordingly dismissed at the stage of admission. In the circumstances, there shall be no order as to costs.

J.Chelameswar, J

29th November 2005 Ramesh Ranganathan, J

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